

103D CONGRESS
1ST SESSION

S. 255

To establish the Commission on Executive Organization.

IN THE SENATE OF THE UNITED STATES

JANUARY 28 (legislative day, JANUARY 5), 1993

Mr. CAMPBELL introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To establish the Commission on Executive Organization.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Commission on Execu-
5 tive Organization Act”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established a commission to be known as the
8 “Commission on Executive Organization” (hereinafter in
9 this Act referred to as the “Commission”).

1 **SEC. 3. FUNCTIONS OF COMMISSION; REPORT; IMPLEMEN-**
2 **TATION OF RECOMMENDATIONS.**

3 (a) FUNCTIONS.—The Commission shall examine and
4 make recommendations with respect to an effective and
5 practicable organization of the executive branch of the
6 Federal Government, including recommendations regard-
7 ing—

8 (1) criteria for use by the President and the
9 Congress in evaluating proposals for changes in the
10 structure of the executive branch of the Federal
11 Government, including criteria for use by the Presi-
12 dent and the Congress in evaluating and overseeing
13 Government-sponsored enterprises, Government cor-
14 porations, and independent agencies;

15 (2) the organization of the executive branch
16 into not more than 8 departments, which shall in-
17 clude the Department of State, the Department of
18 the Treasury, the Department of Justice, and the
19 Department of Defense;

20 (3) the reorganization of independent agencies
21 and Government corporations;

22 (4) the most effective and practicable structure
23 of the Executive Office of the President for conduct-
24 ing oversight of the executive branch, and criteria
25 for use by such Office in evaluating and overseeing
26 the performance of the executive branch; and

1 (5) functions being performed by Federal Gov-
2 ernment agencies as of the effective date of this Act
3 that should be performed by State or local agencies
4 or by the private sector.

5 The Commission shall seek to reduce the total number of
6 individuals employed by the Federal Government by 5 per-
7 cent within 5 years after the effective date of this Act.

8 (b) REPORT.—The Commission, by not later than 6
9 months after the completion of appointment of the mem-
10 bers of the Commission, shall submit a report to the Presi-
11 dent which contains a detailed statement of—

12 (1) its recommendations under subsection (a);
13 and

14 (2) legislative changes necessary to implement
15 such recommendations.

16 (c) IMPLEMENTATION OF RECOMMENDATIONS.—

17 (1) EXECUTIVE ORDER.—The President, by as
18 soon as practicable after the date of the receipt by
19 the President of the Commission report under sub-
20 section (b), shall issue an Executive order which im-
21 plements the recommendations made in the report.

22 (2) REPORT TO CONGRESS.—The President, by
23 not later than the date the President issues an Exec-
24 utive order under paragraph (1), shall transmit to
25 the Congress a report containing the recommenda-

1 tions for legislation submitted by the Commission
2 under subsection (b)(2).

3 **SEC. 4. MEMBERSHIP OF COMMISSION.**

4 (a) IN GENERAL.—The Commission shall consist of
5 7 members, as follows:

6 (1) The Secretary of State.

7 (2) The Secretary of the Treasury.

8 (3) The Attorney General of the United States.

9 (4) The Secretary of Defense.

10 (5) The Director of the Office of Management
11 and Budget.

12 (6) 2 members appointed by the President from
13 among other officials in the executive branch of the
14 Federal Government.

15 (b) COMPLETION OF APPOINTMENTS.—The Presi-
16 dent, by not later than 30 days after the effective date
17 of this Act, shall complete appointment of members of the
18 Commission pursuant to subsection (a)(6) and identify
19 those appointees to the Congress.

20 (c) CHAIRMAN.—The President shall designate a
21 member of the Commission to be its Chairman.

1 **SEC. 5. RESTRICTION ON PAY, ALLOWANCES, AND BENE-**
2 **FITS.**

3 A member of the Commission shall receive no pay,
4 allowances, or benefits by reason of his or her service on
5 the Commission.

6 **SEC. 6. POWERS OF COMMISSION.**

7 (a) MEETINGS.—The Commission may, for the pur-
8 pose of carrying out this section, hold such hearings and
9 sit and act at such times and places, as the Commission
10 considers appropriate.

11 (b) RULES.—The Commission may adopt such rules
12 as may be necessary to establish procedures and to govern
13 the manner of the operation, organization, and personnel
14 of the Commission.

15 (c) ASSISTANCE FROM FEDERAL AGENCIES.—

16 (1) INFORMATION.—The Commission may re-
17 quest from the head of any department, agency, or
18 other instrumentality of the Federal Government
19 such information as the Commission may require for
20 the purpose of carrying out this Act. The head of
21 such department, agency, or instrumentality shall, to
22 the extent otherwise permitted by law, furnish such
23 information to the Commission upon request made
24 by the Chairman.

25 (2) FACILITIES, SERVICES, AND PERSONNEL.—

26 Upon request of the Chairman of the Commission,

1 the head of any department, agency, or other instru-
2 mentality of the Federal Government shall, to the
3 extent possible and subject to the discretion of such
4 head—

5 (A) make any of the facilities and services
6 of such department, agency, or instrumentality
7 available to the Commission; and

8 (B) detail any of the personnel of such de-
9 partment, agency, or instrumentality to the
10 Commission, on a non reimbursable basis, to
11 assist the Commission in carrying out the du-
12 ties of the Commission under this Act.

13 (d) **MAILS.**—The Commission may use the United
14 States mails in the same manner and under the same con-
15 ditions as the departments and agencies of the Federal
16 Government.

17 (e) **CONTRACTS FOR RESEARCH AND SURVEYS.**—The
18 Commission may, to such extent and in such amounts as
19 are provided in appropriations Acts, enter into contracts
20 with State agencies, private firms, institutions, and indi-
21 viduals for the purpose of conducting research or surveys
22 necessary to enable the Commission to discharge the du-
23 ties of the Commission under this Act.

24 (f) **EXECUTIVE DIRECTOR AND STAFF.**—Subject to
25 such rules and regulations as may be adopted by the Com-

1 mission, the Chairman of the Commission may appoint,
2 terminate, and fix the pay of an Executive Director and
3 of such additional staff as the Chairman considers appro-
4 priate to assist the Commission. The Chairman may fix
5 the pay of personnel appointed under this subsection with-
6 out regard to the provisions of chapter 51 and subchapter
7 III of chapter 53 of title 5, United States Code (relating
8 to the number or classification of employees and to rates
9 of pay), the provisions of such title governing appoint-
10 ments in the competitive service, and any other similar
11 provision of law; except that no rate of pay fixed under
12 this subsection may exceed a rate equal to the maximum
13 rate of pay payable for a position above GS-15 of the Gen-
14 eral Schedule under section 5108 of such title.

15 **SEC. 7. APPLICABILITY OF THE FEDERAL ADVISORY COM-**
16 **MITTEE ACT.**

17 The Commission shall be an advisory committee for
18 purposes of the Federal Advisory Committee Act (5
19 U.S.C. App.).

20 **SEC. 8. TERMINATION OF COMMISSION.**

21 The Commission shall cease to exist on the date that
22 is 30 days after the date on which the Commission sub-
23 mits the report required under section 3(b).

1 **SEC. 9. PREPARATION FOR THE COMMISSION.**

2 Not later than 90 days after the effective date of this
3 Act, the Comptroller General of the United States, the Di-
4 rector of the Congressional Research Service, the Director
5 of the Congressional Budget Office, and the Director of
6 the Office of Technology Assessment shall each submit to
7 the Commission an index to, and synopses of, materials
8 on executive organization that such official considers use-
9 ful to the Commission. Subject to laws governing the dis-
10 closure of classified or otherwise restricted information,
11 such materials may include reports, analyses, rec-
12 ommendations, and results of research of such organiza-
13 tions.

14 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to the Com-
16 mission not more than \$1,500,000 for carrying out this
17 Act.

18 **SEC. 11. EFFECTIVE DATE.**

19 This Act shall take effect on February 1, 1994.

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